

## SELY HITCHCOCK STANDS PAT

### REFUSES TO RESCIND ORDER WITHDRAWING INDIAN LANDS.

He Tells Senate Committee That Assistant Attorney-General Campbell Sustains His Order and It Will Stand Until Modified by Congress—Senators Angry.

WASHINGTON, Jan. 9.—Ethan Allen Hitchcock, Secretary of the Interior, refused today for the second time to comply with the suggestion of members of a select committee of five Senators to rescind an order he had made withdrawing from entry for forest reserve purposes 2,225,000 acres of land in the Indian Territory. The select committee is composed of Senators Clark of Wyoming, chairman, Long of Kansas, and Brandegee of Connecticut, Republicans, and Teller of Colorado and Clark of Montana, Democrats.

The Secretary of the Interior, accompanied by James Wilson, Secretary of Agriculture, and Gifford Pinchot, Chief Forester, was before the committee prior to the holiday recess and was told then that in the judgment of the committee the withdrawal amounted to a suspension by executive order of a Federal statute. Secretary Hitchcock replied that in making the order he had followed the recommendation of the Secretary of Agriculture and the Chief Forester, and acted, as he believed, for the best interests of the Indians. It was suggested that he should rescind the order without delay.

The matter remained in abeyance until today, when it was expected by the committee that Secretary Hitchcock would explain the legal authority for his action. But when he appeared he told the committee that he would transmit to Congress this afternoon a letter from P. L. Campbell, Assistant Attorney-General for the Interior Department, which he believed sustained the legality of his action. The Secretary intimated that he believed he was right in the action he had taken and would stand pat, leaving Congress to modify the order if it saw fit to do so.

There were some sharp passages between the Secretary and members of the committee, and when the stories of what had occurred reached the Senate from the committee room the feeling against the Secretary held by some of the Western Senators was intensified and rumors of impeachment were started. Later in the afternoon, Senator Clark of Wyoming, chairman of the select committee, received the information which Secretary Hitchcock had promised to transmit to him, and it will be considered behind closed doors at a meeting of the committee to be held tomorrow morning. Chairman Clark declared that impeachment proceedings had been considered.

There has been bitter feeling existing for some time between Secretary Hitchcock and Senators from the public land States, particularly Senator Clark and Senator Warren of Wyoming, against whose alleged connection with land cases the Secretary has been directing an investigation.

The feeling of hostility which has grown out of Secretary Hitchcock's administration of his office was reflected on the floor of the Senate today when Senator Carter submitted a resolution and announced that he would later make some remarks on what he characterized as "the unwarranted and unlawful action" of the Secretary in refusing, by an order of December 18, to issue patents to homestead entryman whose claims had been perfected and were unquestioned. It was explained today that if Secretary Hitchcock adhered to the order he had made withdrawing the lands in the Indian Territory, and the committee decided that he had acted unlawfully, the proper course to be pursued by the select committee would be to report the facts to the Senate and the case would then be referred to the Committee on Indian Affairs to report action.

Secretary Hitchcock's position before the committee aroused the members. With unusual show of feeling, Chairman Clark said:

"Mr. Secretary, I regret to contemplate a situation where Congress would be compelled to meet the question of an executive officer of the Government unlawfully suspending the operation of a law."

The Secretary's only reply was that he would furnish Congress with the opinion of the Assistant Attorney-General for the Interior Department, which sustained his action.

But suppose, Mr. Secretary, the committee is not willing to accept the opinion of the Assistant Attorney-General as conclusive in the matter? suggested Mr. Clark. Secretary Hitchcock still declined to answer. It was then that Senator Clark suggested that Congress might have to deal with a case of alleged executive usurpation. Senator Teller said that he did not believe Secretary Hitchcock would change his order, even if the select committee pointed out that it was illegal, and he added that the matter should be dealt with by one of Congress.

"I should not like the committee to feel impelled to take that course," said Chairman Clark.

Mr. Hitchcock said he had been delaying sending in a report of the matter to get a report from the Secretary of Agriculture.

"What bearing can the report of the Secretary of Agriculture have upon the equality of your action?" inquired Senator Brandegee.

Two separate questions I know are involved," replied the Secretary, "but they are closely interwoven, and I thought I would give Congress the benefit of both reports."

#### Movements of Naval Vessels.

WASHINGTON, Jan. 9.—The cruiser Oshagoo has arrived at Manila and the transport Tenkara at Guantanamo. The battleship Connecticut has sailed from Hampton Roads for Culebra, the cruiser Cleveland from Cienfuegos for Havana, the tug Potomac from Sydney, N. S., for Bay of Islands, and the torpedo boat Morris from Ferdinandina for Key West.

#### Relief for Homestead Settlers.

WASHINGTON, Jan. 9.—The Senate today passed a joint resolution by Senator Hansbrough of North Dakota granting a leave of absence of sixty days to homestead settlers on the public domain when climatic conditions warrant it, the amount of time advanced in the leave not to be deducted from the time the homestead settler is required to reside on his entry to prove his claim.

#### President to Deliver Memorial Day Address in Indianapolis.

WASHINGTON, Jan. 9.—President Roosevelt will deliver the Memorial Day address in Indianapolis under the auspices of the local Grand Army organization. The invitation to do so was extended this morning by Representative Overstreet and a delegation of Indiana citizens, and the President accepted.

#### Army and Navy Orders.

WASHINGTON, Jan. 8.—This army order was issued today:

Lieut. Col. Herbert E. Tuthbert, retired, detailed duty with militia of New Hampshire for four years.

These navy orders were issued:

First Assistant C. M. Thorne, to the Virginia as commander of Second Division, first squadron, Atlantic fleet.

Assistant C. M. Thorne, to the Ohio as commander of Second Division, second squadron, Atlantic fleet.

Lieut. E. S. Jackson, from New York Navy Yard to Atlantic station.

Lieut. C. A. Gardner and Lieut. W. Norris, from Navy Department to the Ohio.

Ensign W. R. Raudenbush, from Navy Department to the Ohio, in connection with the Ohio and to that vessel when commissioned.

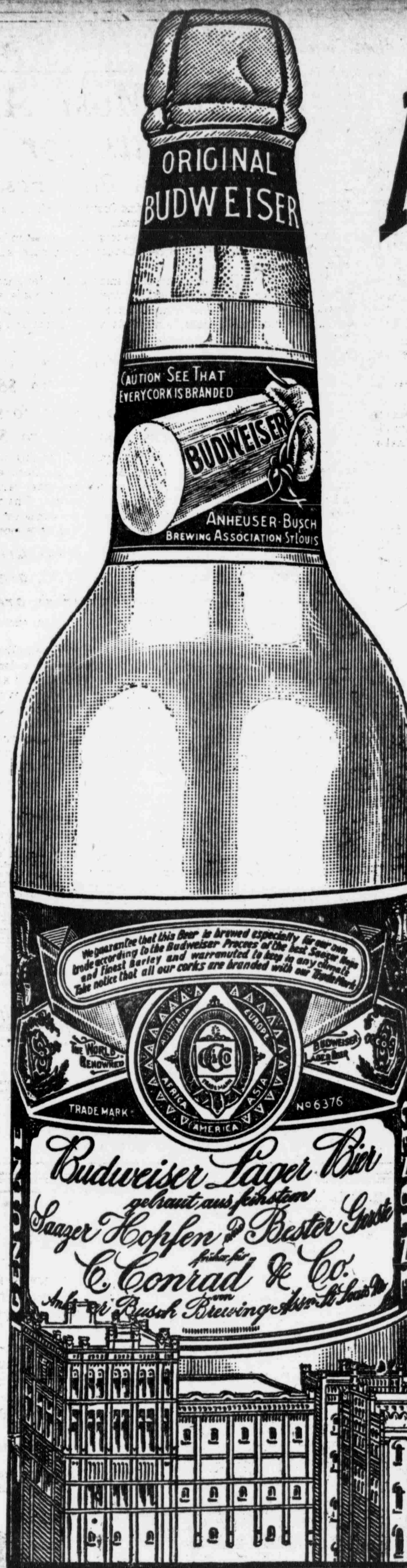
Ensign F. W. Osborn, from Navy Department and granted one month's leave.

Ensign A. S. Kibbes, from Navy Department to the Ohio.

Ensign C. C. Moses, from Navy Department to Atlantic station.

ONE OIL WITH THE SLIP.

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1900	939,768 Barrels
1901	1,006,495 Barrels
1902	1,109,315 Barrels
1903	1,201,762 Barrels
1904	1,365,711 Barrels
1905	1,403,788 Barrels

1906 - 1,543,468 Barrels of Beer

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#### NEW SANTO DOMINGO TREATY.

Secretary Root Explains Its Provisions to the Senate Committee.

WASHINGTON, Jan. 9.—A new treaty between Santo Domingo and the United States will probably be negotiated and submitted to the Senate as a substitute for the pending convention, which provides for the establishment of a virtual protectorate over Santo Domingo by this Government.

Secretary Root appeared before the Senate Committee on Foreign Relations today, and after explaining the desire and intention of the Administration to make a new arrangement with the Dominican Government for the collection and liquidation of the foreign debt of that country, expressed a preference for a new treaty instead of the plan of amending the pending convention to meet changed conditions. Some members of the Foreign Relations Committee are of the opinion that quicker action can be obtained in disposing of the Dominican controversy by amending the treaty in the Senate, and they may ultimately have their way, although present indications

are that there will be a new convention.

In his statement to the committee Mr. Root told of an agreement that had been reached between the Dominican Government and its creditors which made possible the eradication of several features of the pending treaty which were objectionable to the Senate. Under this agreement the foreign claims have been scaled from \$21,000,000 to \$12,000,000 and the domestic debt from more than \$20,000,000 to \$5,000,000, leaving the total indebtedness of the republic about \$17,000,000. About two and a quarter million dollars in revenues have been collected by the American customs administration of the country and secured for the purpose of liquidating Santo Domingo's obligations. By the time any action is taken by this Government the amount secured will be about \$2,500,000, leaving a net indebtedness of about \$15,000,000 to be paid under the new arrangement proposed by Mr. Root.

The Administration is willing to leave out of the proposed new treaty all the objectionable provisions and expressions of purpose on the part of the United States. It will contain nothing, according to what was said today, that will indicate the existence of a protectorate over Santo Domingo. It will guarantee merely the maintenance of the status quo as far as the collection of the revenue and the application

to the payment of the foreign debt is concerned. The foreign creditors were unwilling to scale down their claims unless a guarantee could be secured that the United States Government would continue to exercise some sort of supervision over the collection and distribution of the revenues. A few Democratic members of the committee are not entirely satisfied with the proposed new arrangement, but on the whole the committee was inclined to look with favor on Mr. Root's proposals for a substitute arrangement. There is a very hopeful feeling among Senators who advocate a continuance of the present American control of Santo Domingo's fiscal affairs that the arrangement explained by Mr. Root will be sanctioned by the Senate before the end of the session.

#### For Sunday Closing of Post Offices.

WASHINGTON, Jan. 9.—Senator Burkett of Nebraska, made a move in the Senate today in the direction of Sunday closing of all post offices in the country. He secured the passage unanimously of a resolution calling on the Postmaster-General to furnish the information as to the authority by which post offices are kept open on Sunday, the amount of business transacted on Sunday and the additional expense to the Government on account of Sunday opening.

#### ANTI-INJUNCTION BILL.

The Sub-Committee Having It in Charge Not Ready to Report.

WASHINGTON, Jan. 9.—The anti-injunction bill was called for at the meeting of the House Committee on the Judiciary today and Representative Terrell, the chairman of the sub-committee having the measure in charge, said that he was not ready to report. A short time prior to the adjournment last session it was understood that the sub-committee would have a meeting and take action on the bill early in December. The committee did not meet, however, and to-day the matter was put over until next Tuesday. The friends of the measure are not especially hopeful that favorable action will be had in view of the delays.

Representative Littlefield to-day made an effort to get action in the Committee on the Judiciary on the Hepburn bill to make liquor transported from one State to another subject to the police jurisdiction of the State into which it is transported. The bill has been in the hands of a sub-committee since early last session, and Mr. Littlefield sought to have the committee discharged and the measure taken up by the full body. His motion was defeated and it is therefore improbable that any action will be taken on the matter.

#### Debate on Brownsville Resolution Postponed.

WASHINGTON, Jan. 9.—Senator Foraker again requested and secured to-day a postponement of consideration of the Brownsville resolution directing an inquiry into the discharge by the President of the negro troops of the Twenty-fifth United States Infantry.

Mr. Foraker explained that Senator Tillman was still detained at his home by illness and had requested a further postponement to enable him to be present when the resolution is finally acted upon in the Senate.

#### Chatfield's Nomination Confirmed.

WASHINGTON, Jan. 9.—The Senate confirmed the nomination of Thomas Ives Chatfield to be United States Judge for the Eastern District of New York and William H. Daniels to be Collector of Customs for the District of Oswegatchie, N. Y.

#### Proposed Monument to Gen. Kearny.

WASHINGTON, Jan. 9.—Representative Loudenslager of New Jersey to-day introduced a bill to appropriate \$100,000 for the erection of a monument to the memory of Major-Gen. Philip Kearny in Washington.

#### For Reciprocal Free Trade in Coal With Canada.

WASHINGTON, Jan. 9.—Representative Williams of Mississippi to-day introduced a bill to provide for reciprocal free trade in coal between the United States and the Dominion of Canada. The measure stipulates that no duty shall be levied upon coal imported from Canada when the President shall issue a proclamation setting forth the fact that Canada has removed her duty on American coal.

The choicest cattle in the world are raised on the Liebig Company's great farms (larger than Massachusetts) on the River Plate expressly for making Liebig's Company's Extract of Beef the leading pure food product of the world and for forty years the first.